REMARKS

Administrative Overview

Initially, claim 1 was presented for examination. In a preliminary amendment filed January 6, 2003, claims 2-42 were added. In a response filed on February 14, 2005, claims 24-42 were withdrawn. In a response filed on November 25, 2005, claim 1 was cancelled and claim 2 was amended. In a response filed on December 4, 2006, claims 2 and 4 were amended and claims 3 and 13 were cancelled. In a response filed August 3, 2007, claim 2 was amended. Upon entry of this paper, claims 2, 4-12 and 14-23 will remain pending in this application.

The instant Office Action was mailed on October 17, 2007. The Office Action objected to claims 7-10 and 14-23 because the claims depend from a cancelled base claim 3. The Office Action rejected claims 2, 4-12, and 14-23 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,794,207 to Walker et al. (hereinafter "*Walker*") in view of paragraphs [0002]-[0005] (hereinafter "*Background*") and U.S. Patent Application Publication No. 2001/0049653 to Sheets (hereinafter "*Sheets*") and further in view of the submitted document titled "User's Guide, Chrome.Com, Defining The Electronic Car Market" (hereinafter "*Chrome User's Guide*"). We respectfully traverse these objections and rejections and request reconsideration of the claims in light of the discussion below.

Claim Objections

Claims 7-10 and 14-23 were objected to as being dependent upon a cancelled base claim. Applicants have amended claims 7, 9, and 14 to address these objections.

Applicants respectfully submit that the claim amendments set forth above overcome the Examiner's objections.

The Claims are Patentable over *Walker* in view of *Sheets*

Claims 2, 4-12, and 14-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Walker* in view of *Background* and *Sheets* and further in view of *Chrome User's Guide*. A rejection for obviousness requires the demonstration of each and every element of a claim in the supporting references. MPEP § 2143. We respectfully submit that *Walker, Chrome User's Guide* and *Sheets,* which were the only references supporting the rejection of independent claim

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2, either individually or in combination fail to teach or suggest all of the limitations of independent claim 2 and therefore do not render obvious that independent claim or any of the remaining claims that depend therefrom.

Generally speaking, the present invention relates to "a system and related methods facilitating dynamically collaborative electronic commerce over a data network". Abstract. A collaboration agent enables sellers, dealers and manufacturers to agree to terms and conditions for cooperatively participating in a commercial transaction over a data network. Id. at [0026]. The collaboration agent identifies particular product attributes selected by the user and finds products in the inventory which meet the user's criteria. Id. at [0086]. The collaboration agent automatically seeds an inventory search result with options identified on the products currently available within the inventory, instead of presenting the user with all available product configurations. Id. at [0042]. This ensures that a user's search options reflect products available in current inventory, eliminating the iterative search process associated with prior art systems. Id. at [0086].

In brief overview, *Walker* teaches a method and apparatus for effectuating bilateral buyer-driven commerce. *Walker* at Abstract . *Chrome User's Guide* is an overview of the Chrome.com web based program, which provides a method for end users to configure a vehicle, send the request through a quote center to dealers, and receive the return of a quote. *Chrome User's Guide* at p. 2. Independent claim 2 requires that "the collaboration agent to automatically seed an inventory search result with options identified on products currently available within inventory." Neither *Walker* or *Chrome User's Guide* teach or suggest this element. In fact, the Examiner concedes that *Walker* fails to satisfy this element and turns to *Sheets*.

Sheets, however, does not supply what *Walker* and *Chrome User's Guide* lacks. *Sheets* describes a system for matching customers with products in inventory that will be desirable and affordable to the customers. *Sheets* at Abstract. *Sheets* describes the prior-art technique of performing "a search of the product database inventory file to determine which products most closely match" a particular customer's "individual desires and needs." Id. at [0025]. *Sheets* does not teach that an inventory search result be automatically "seeded" with search options corresponding to available inventory.

Sheets discloses that a customer may specify "a particular product make, product style, product prices range, and particular product options (e.g., air-conditioning) are high priority

fields for a particular customer" and the processor will then "primarily search for products in the inventory file which match these high priority fields." Id. at [0026]. This is the same prior art process described in the Applicant's disclosure. In discussing the concept of "seeding" an inventory search result, the present invention distinguishes itself from prior art systems which enable a user to build a desired product configuration based on manufactured product attributes, even if that particular configuration is not readily available in inventory. Id. at [0086]. In contrast, embodiments of the present invention provide the user with a list of only those search attributes associated with available product inventory. Id. Therefore, *Sheets* does not cure *Walker*'s and *Chrome User's Guide*'s deficiency for it does not disclose the element of "the collaboration agent to automatically seed an inventory search result with options identified on products currently available within inventory."

For these reasons, we submit that the combination of *Walker, Chrome User's Guide* and *Sheets* fails to teach or suggest all of the elements present in the Applicants' independent claim 2. Therefore, we respectfully submit that independent claim 2, and the remaining claims, which depend therefrom, are patentable over *Walker* in view of *Sheets*.

CONCLUSION

In light of the foregoing, we respectfully submit that all of the pending claims are now in condition for allowance. Accordingly, we respectfully request reconsideration, withdrawal of all grounds of objection and rejection, and allowance of all pending claims in due course. If the Examiner believes that a telephone conversation with the Applicants' attorney would be helpful in expediting the allowance of this application, the Examiner is invited to call the undersigned.

Respectfully submitted,

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